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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY-DOCKET NO.	CONFIRMATION NO.
09/881,410	06/14/2001	Byron Y. Yafuso	QCPA235	8490

7590 01/04/2002

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EXAMINER

TON, DANG T

ART UNIT	PAPER NUMBER
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2661

DATE MAILED: 01/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/881,410

Applicant(s)

Yafuso et al

Examiner

DANGL DYN

Group Art Unit

2661

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on 6/14/01
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1 - 44 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☒ Claim(s) 1 - 22 is/are allowed.
- ☒ Claim(s) 23 - 44 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☒ The proposed drawing correction, filed on 6/14/01 is ☒ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2
- ☐ Interview Summary, PTO-413
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other \_\_\_\_\_

Office Action Summary

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Claims 23-44 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Sigler et al. (5,717,830).

Sigler et al disclose a satellite trunked radio service system comprising:

means for transmitting a data frame;

means for transmitting a push-to-talk frame subsequent to the data frame;

means for transmitting a second data frame subsequent to the push-to-talk data frame;

a switch operative to generate push-to-talk signals;

a processor coupled to the switch, operative to generate a push-to-talk data packet based on at least one of push-to-talk signals;

a transmitter coupled to the processor operative to send the push-to-talk data packet to the wireless communication network;

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a network call manager for facilitate private communications simultaneously among a plurality of mobile users, at least some of plurality of mobile users being members of a private network, the network call manager comprising:

means for receiving a point-to-point transmission comprising a plurality of voice data packets and a point-to-multipoint transmission comprising a plurality of private network data packets;

means for directing point-to-point transmissions;

means for receiving a request for a point-to-multipoint transmission to the private network;

means for directing the point-to-multipoint data packets to the private network in response to the request; and

a private network of mobile stations operative to transmit point-to-point transmissions and point-to-multipoint transmissions (see abstract and details of figures 3-4).

2. Claims 1-22 are allowed.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sweet et al is cited to show a system which is considered pertinent to the claimed invention.

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4. Any inquiry concerning this communication should be directed to Dang Ton at telephone number (703) 305-4739.

DT/ayc

December 17, 2001



DANG TON  
PRIMARY EXAMINER